

House Judiciary Committee Amendment # 1

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 1083

House Bill No. 692*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting the second paragraph of the amendatory language of Section 1 of the printed bill
and by substituting instead the following:

In order for an entity other than the department of corrections to supervise felony probation, the majority of the trial judges who regularly hear criminal trials in a judicial district must determine that there is a need for additional probationary supervision in that judicial district and shall determine whether or not an entity is qualified to provide such probation and shall file such finding with the clerk of the court.

The chief executive officer of any entity other than the department of corrections, providing probation supervision of defendants in felony cases, shall be a resident of Tennessee and shall have a bachelor's degree from an accredited university and at least five (5) years of professional experience in probation.

Any employee responsible for providing probation supervision shall have at least four (4) years of experience in a criminal justice or social services agency providing counseling services or shall have a bachelor's degree from an accredited college or university or shall have an associate's degree in any of the following fields: criminal justice, administration, social work or behavioral sciences.

No employee shall have been convicted of a felony.

Each entity shall cause a criminal record search on all employees and such results shall be provided to the clerk of the court in all counties in such judicial district.

Any entity providing felony probation, other than the department of corrections, shall file prior to providing felony probation with the offices of the court clerks and the

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criminal trial courts in all counties in the judicial district the name of the entity, its form of business, office and mailing address, a credit history if any, a description of the services provided, the fee structure, a list of all employees, their position, their credentials and a sworn statement that all employees possess the credentials required by this Act and a copy of any criminal record search. The entity shall also file with the clerk's office a quarterly report which shall include its caseload, the number of contact hours with offenders, services provided and the number of filings for probation revocation and their dispositions.

AND FURTHER AMEND in the amendatory language of Section 2 of the printed bill by deleting the words: "other than the department of correction".

AND FURTHER AMEND by adding the following as a new Section 3 of the printed bill and by redesignating the effective section accordingly:

The court, in addition to all other ordered payments, including but not limited to the criminal injuries compensation fund, may order a probationer to pay to the entity an additional sum of thirty-five dollars (\$35.00) per month during the term of probation to cover the cost of such probation.

AND FURTHER AMEND by adding the following as an appropriately designed, new section of the printed bill as amended :

Nothing in this act shall apply to community correction supervision or the community corrections program established in Tennessee Code Annotated, Title 40, Chapter 36, Parts 1, 2 and 3.

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